

***Oversight Board  
to the Designated Local Authority, Successor Agency  
of the Former Pismo Beach Redevelopment Agency***

---

**SUBJECT/TITLE:**

**A RESOLUTION OF THE OVERSIGHT BOARD TO THE PISMO BEACH DESIGNATED LOCAL AUTHORITY, AS SUCCESSOR AGENCY TO THE PISMO BEACH REDEVELOPMENT AGENCY, ADOPTING A CONFLICT OF INTEREST CODE**

---

**RECOMMENDATION:**

Adopt resolution adopting a conflict of interest code for the Oversight Board

---

The purpose of this report is to request the Oversight Board (“Board”) adopt a Conflict of Interest Code for the Board.

**DISCUSSION**

The Board is subject to the Political Reform Act and regulations promulgated by the Fair Political Practices Commission (FPPC) which requires a newly established entity to adopt a Conflict of Interest Code. The Oversight Board may adopt by reference the model conflict of interest code set for the in Section 18730 of Title 2 of the California Code of regulations. The attached resolution and conflict of interest code was developed by the Board’s attorney.

The County Clerk-Recorder of the County of San Luis Obispo, Ms. Julie Rodewald, is responsible for distributing the Form 700 Statement of Economic Interest to Board of Supervisor Members and then collecting them. The Resolution and conflict of interest code will be submitted to the Board of Supervisors for their approval. A copy of the form will be filed with the Fair Political Practices Commission and a copy will be maintained on file with the Successor Agency.

---

**Alternatives**

1. Provide staff with alternative direction.
- 

**Fiscal Impact**

No fiscal impact from adopting this resolution. If this resolution is not adopted, the Board may be subject to a fine or penalty.

---

**Attachments**

1. Oversight Board Resolution no. OB-2014-003
- 

**Prepared by:** David Hirsch, Oversight Board legal counsel

**Meeting Date:** January 2, 2014

**RESOLUTION NO. OB-2014-003**

**A RESOLUTION OF THE OVERSIGHT BOARD TO THE PISMO BEACH DESIGNATED LOCAL AUTHORITY, AS SUCESSOR AGENCY TO THE PISMO BEACH REDEVELOPMENT AGENCY, ADOPTING A CONFLICT OF INTEREST CODE FOR THE OVERSIGHT BOARD**

---

**WHEREAS**, the Oversight Board ("Oversight Board") to the Pismo Beach Designated Local Authority, as Successor Agency to the Pismo Beach Redevelopment Agency, was established pursuant to the provisions of Health & Safety Code Section 34179; and

**WHEREAS**, the Oversight Board is deemed a local entity for purposes of the Political Reform Act; and

**WHEREAS**, pursuant to the Political Reform Act and regulations promulgated thereunder by the Fair Political Practices Commission ("FPPC"), a newly established local entity is required to adopt a conflict of interest code; and

**WHEREAS**, the Oversight Board finds and determines that it is appropriate to adopt as its conflict of interest code the model conflict of interest code promulgated by the FPPC as set forth in this Resolution.

**NOW, THEREFORE, THE OVERSIGHT BOARD TO THE DESIGNATED LOCAL AUTHORITY, AS SUCCESSOR AGENCY TO THE PISMO BEACH REDEVELOPMENT AGENCY, DOES HEREBY RESOLVE, DETERMINE AND ORDER AS FOLLOWS:**

**SECTION 1.** Pursuant to the Political Reform Act of 1974, Government Code Section 87300 et seq., and Section 18730 of Title 2 of the California Code of Regulations, the Board adopts the model conflict of interest code promulgated by the Fair Political Practices Commission of the State of California as set forth in Section 18730 of Title 2 of the California Code of Regulations, which model conflict of interest code is incorporated herein by reference, and which, together with the list of designated positions and the disclosure categories applicable to each designated position as set forth in Sections 3 and 6 of this Resolution, collectively constitutes the Board's conflict of interest code. As the model conflict of interest code set forth in Section 18730 of Title 2 of the California Code of Regulations is amended from time to time by State law, regulatory action of the Fair Political Practices Commission, or judicial determination, the portion of the Board's conflict of interest code comprising the model conflict of interest code shall be deemed automatically amended without further action to incorporate by reference all such amendments to the model conflict of interest code so as to remain in compliance therewith. Nothing in this Resolution shall supersede the independent applicability of Government Code Section 87200.

**SECTION 2.** The definitions contained in the Political Reform Act of 1974 and in the Regulations of the Fair Political Practices Commission, and any amendments to either of the foregoing, are incorporated by reference into this conflict of interest code.

**SECTION 3.** The following are the designated Board positions, the holders of which shall be required to file statements of economic interests: Oversight Board Members; Legal Counsel to the Oversight Board.

**SECITON 4.** The code reviewing body for this conflict of interest code shall be the San Luis Obispo County Board of Supervisors. This conflict of interest code shall be

promptly submitted after its adoption by the Oversight Board to the Clerk of the Board of Supervisors. Statements of economic interests shall be filed by Oversight Board Members and Board Legal Counsel with the Clerk of the Board of Supervisors.

**SECTION 5.** The Board finds and determines that the persons holding the positions set forth in Section 3 make or participate in the making of decisions which may foreseeably have a material effect on financial interests.

**SECTION 6.** Each person holding a designated position set forth in Section 3 shall report in every disclosure category set forth in the statement of economic interests promulgated by the FPPC to the extent such category is applicable to such person pursuant to the rules and regulations of the FPPC. The disclosure categories as promulgated by the FPPC may be amended from time to time and such amendments shall not require an amendment to this code or Resolution.

**SECTION 7.** Sections 3 and 6 of this Resolution constitute the Appendix referred to in subdivision (b)(2) of Section 18730 of Title 2 of the California Code of Regulations.

**Section 8.** Nothing contained in this Resolution is intended to modify or abridge the provisions of the Political Reform Act of 1974, Government Code Section 87000 et seq., or FPPC Regulations (Title 2 California Code of Regulations including Sections 18700 et seq). The provisions of this Resolution are additional to the Political Reform Act and FPPC Regulations. This Resolution shall be interpreted in a manner consistent with the political Reform Act and FPPC Regulations. In the event of any inconsistency between the provisions of this Resolution, on the one hand, and the Political Reform Act and/or the FPPC Regulations, on the other hand the provisions of the Political Reform Act and FPPC Regulations shall govern.

**Section 9.** If any section, subsection sentence, clause or phrase of this Resolution is for any reason held by a court of competent jurisdiction to be invalid such decision shall not affect the validity of the remaining portions of this Resolution. The Board hereby declares that it would have adopted this Resolution and each section subsection, sentence clause, or phrase thereof irrespective of the fact that any one or more section subsection, sentence, clause, or phrase be declared invalid.

**PASSED AND ADOPTED** by the Oversight Board at a meeting held on the 13th day of February, 2014, by the following vote:

**AYES:** 6  
**NOES:** 0  
**ABSENT:** 1  
**ABSTAIN:**

  
\_\_\_\_\_  
**Chairperson**

**ATTEST:**

  
\_\_\_\_\_  
**Designated Contact Person**